Per G.S. Singhvi, CJ

Feeling dissatisfied with partial success before the learned Single Judge, the appellants have filed this appeal and prayed that the proceedings initiated by the respondents for acquisition of land comprised in Survey No.90/1 situated at Gachibowli, Serilingampally Mandal and Municipality, Ranga Reddy District may be quashed.

A perusal of the record shows that in the writ petition filed by them, the appellants had challenged notification dated 6.12.2003, as amended on 8.12.2004, and notification dated 9.12.2004 issued by Collector, Ranga Reddy for acquisition of land for formation of outer ring road at Gachibowli (V), Serilingampally (M), Ranga Reddy District. They averred that notification dated 8.12.2004 issued by District Collector for amendment of earlier notification dated 6.12.2003 issued under section 4(1) of the Land Acquisition Act, 1894 (for short 'the Act') as also notification dated 9.12.2004 issued under section 6 of the Act were liable to be quashed because of the non-compliance of the mandate of the relevant provisions.

The learned Single Judge, after examining various points raised by the appellants in support of their challenge to the impugned notifications, quashed notification dated 9.12.2004, but upheld the one issued under section 4(1) of the Act with a direction that further proceedings be conducted in accordance with law.

Learned counsel for the appellants argued that notification issued under section 4(1), as amended on 8.12.2004, is liable to be quashed because the same had not been published in accordance with law. He emphasized that two newspapers in which the notice is said to have been published do not have any circulation in the locality and, therefore, the same cannot be treated as 'publication' within the meaning of section 4(1) of the Act.

Learned Special Counsel for respondent No.2 submitted that in furtherance of the liberty given by the learned Single Judge to the appellants, they can raise all objections to the acquisition of the land in question by filing appropriate application before the Land Acquisition Collector who is expected to hold

enquiry under Section 5A of the Act.

Learned counsel for the appellants says that in view of the statement of the learned Special Counsel, his clients may be permitted to withdraw this appeal with liberty to raise objections before the Land Acquisition Collector. He further says that the time fixed by the learned Single Judge for filing objections may be extended.

In our opinion, the last mentioned request made by the learned counsel is reasonable and merits acceptance.

Hence, the appeal is dismissed as withdrawn with liberty to the appellants to raise all objections including the one relating to notification issued under Section 4(1) of the Act. We also direct that if the appellants file their objections within a period of ten days from today, the competent authority shall consider and decide the same in accordance with law.

G.S. SINGHVI, C.J.

Date:28-12-2005

R. SUBHASH REDDY, J

Pv/vtv

HONOURABLE SRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT APPEAL No.2586 OF 2005

Between:

Ch. Kiron, S/o. Sri Ramoji Rao,

aged about 43 years, Occ: Business,

R/o.3, Chikoti Gardens, Begumpet,

Hyderabad & 3 others

.. Appellants

AND

The Collector, Ranga Reddy District & another

.. Respondents

::JUDGMENT::

Counsel for the appellants : Mr. M.V. Durga Prasad
Counsel for Respondent No. 1 : G.P. for Revenue
Counsel for Respondent No.2 : Mr. P. Rajagopal Rao

28th December, 2005